

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DISTRICT**

TIARA ROBINSON, as Next Friend and  
Natural Mother of C.R., TIARA  
ROBINSON, Individually, and  
ORLANDUS ROBINSON, Individually,

Plaintiffs,

v.

NEWELL WINDOW FURNISHINGS,  
INC., and J.C. PENNEY CORPORATION,

Defendants.

No. 4:10-CV-01176 JCH

**NEWELL WINDOW FURNISHINGS, INC. AND J.C. PENNEY CORPORATION'S  
MOTION FOR SUMMARY JUDGMENT**

Defendants Newell Window Furnishings, Inc. and J.C. Penney Corporation, pursuant to Federal Rule of Civil Procedure 56, respectfully request that this Court enter summary judgment in their favor and against Plaintiffs. In support of this Motion, Newell Window Furnishings, Inc. and J.C. Penney Corporation submit their Statement of Uncontroverted Material Facts and Memorandum in Support of Their Motion for Summary Judgment.

**WHEREFORE**, Defendants Newell Window Furnishings, Inc. and J.C. Penney Corporation respectfully request that this Court enter an order granting summary judgment in their favor and against Plaintiffs and awarding such further relief as this Court deems just and proper.

Respectfully submitted,

By: /s/ Holly A. Podulka

Kevin P. Krueger, #03319  
Natalie J. Kussart, #59622MO  
600 Washington Avenue - 15th Floor  
St. Louis, MO 63101-1313  
314-231-3332  
314-241-7604 (Fax)  
E-mail: kkrueger@sandbergphoenix.com  
nkussart@sandbergphoenix.com

Joseph J. Krasovec III, *pro hac vice*  
Holly A. Podulka, *pro hac vice*  
Schiff Hardin LLP  
233 South Wacker Drive, Suite 6600  
Chicago, IL 60606  
(312) 258-5500  
(312) 258-5600 (Fax)  
E-mail: jkrasovec@schiffhardin.com  
hpodulka@schiffhardin.com

*Attorneys for Defendants Newell Window  
Furnishings, Inc. and J.C. Penney Corporation*

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, hereby certifies that on May 10, 2012, she filed the foregoing and this Certificate of Service with the Clerk of the Court via the Case Management/Electronic Case Filing (CM/ECF) system, which will provide electronic notice to all counsel of record.

/s/ Holly A. Podulka

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